

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

PUERTO RICO FARM CREDIT, ACA,

Plaintiff,

v.

HERIBERTO ALONSO RIVERA,
et al.,

Defendants.

Civil No. 05-1849 (JAF)

SCHEDULING ORDER

This is a simple collection of money and ordinary foreclosure of mortgage case. Under Fed. R. Civ. P. 16, as amended, the court is empowered to schedule and plan the course of litigation in order to achieve a just, speedy, and inexpensive determination of this simple action. Fed. R. Civ. P. 1; Fed. R. Evid. 102. In so doing, the court advises litigants that we firmly believe in the interplay of Fed. R. Civ. P. 7, 11, 16, and 26 to 37, as amended up to December 1, 2002. These rules require increased lawyer responsibility coupled with a mandate to the court to increase the level of judicial management and control of litigation. All documents filed in this case will be read as if containing a warranty certificate as to quality and content. The filings must be done to the best of the lawyer's knowledge, information, and belief, formed after reasonable inquiry. Accordingly, it is **ORDERED** by the court as follows:

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1. Completion of service of process will be carried out forthwith and the same should be concluded and/or perfected by return of service of process and/or service by publication **on or before May 3, 2006.**

2. In the event that the defendants fail to plead or otherwise defend as required by law upon expiration of the time for the filing of the responsive pleading, the plaintiff will move for judgment by default or otherwise, **not later than May 24, 2006.** If a responsive pleading is entered by the defendants, the plaintiff will immediately request a status conference hearing so that counsel and the court can plan the future course of this simple litigation. Open-file discovery will be immediately provided to the appearing defendants. Said open-file discovery will include every single document which would be used at the trial of the action in order to prove the debt object of collection. A notice attesting as to the fact that open-file discovery has been provided will be filed forthwith.

3. In the event that a status conference is held, the parties must appear prepared to discuss settlement, and with plans for the payment of the debt or other alternatives to put an end to the litigation.

Failure on the part of the plaintiff to comply with the terms and conditions of this order will entail an immediate dismissal for lack of diligent prosecution. Fed. R. Civ. P. 41(b).

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IT IS SO ORDERED.

San Juan, Puerto Rico, this 23rd day of February, 2006.

S/José Antonio Fusté
JOSE ANTONIO FUSTE
U. S. District Judge